

TOWN OF BINGHAMTON
TOWN BOARD
May 21, 2019

Page	2	Approval of Audited Claims
Page	3	Approval of Minutes Voice of the Public Communications and Announcements Officials and Committee Reports Planning Board Zoning Board of Appeals Youth Commission
Page	4	Officials and Committee Reports (Continued) Code Enforcement Highway Department Receipt of Reports Supervisor's Report Finance School Broome County Association of Towns - Monthly Meeting Unfinished Business CDBG – Update & Appointment of Administrator PDD Changes – 239 Review - Amendment
Page	5	Unfinished Business (Continued) Sexual Harassment Policy - Training New Business Board Meetings – July & August 2019 Personnel Committee – Appointment of Councilperson Bensley Hon. Kristen Luce – Resignation Young Men's Christian Assoc. of Broome County
Page	6	New Business (Continued) DWI Tournament & Godbout Tournament Voice of the Public Executive Session

MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MAY 21, 2019, 7:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order at 7:04 p.m. by Supervisor Rounds.

PLEDGE OF ALLEGIANCE

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Present
D. Nye, Councilperson	Present	M. Bensley, Councilperson	Present
V. Xlander, Deputy Supervisor	Present		

OTHERS PRESENT:

V. Conklin, Town Clerk	R. Mastin, TOB Planning Board Member
R. Pope, Deputy Town Attorney	E. Einstein, The Country Courier
M. Donahue, Highway Superintendent	4 Guests
N. Pappas, Building Administrator/Code	

APPROVAL OF AUDITED CLAIMS:

Councilperson Xlander made the motion to approve the following claims as audited:

Lighting	Claim No. 403-404	\$ 2,201.71
Sewer	Claim No. 405-406	\$ 1,057.94
Water	Claim No. 406-411	\$ 2,019.50
Highway Fund	Claim No. 412-426	\$ 31,297.67
General Fund	Claim No. 427-454	\$ 14,481.55

The motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Leighton, Nye Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

APPROVAL OF MINUTES:

The Board agreed to not approve minutes as the minutes are the Town Clerk's minutes, and, therefore, do not need to be approved by the Board. However, the Board will recognize the minutes, and let Town Clerk Conklin know if there are any changes that need to be made to the minutes. There were no changes made to the May 7, 2019 Work Session minutes.

VOICE OF PUBLIC:

Supervisor Rounds opened the floor to the public at 7:06 p.m.

John Tokos – Mr. Tokos questioned the status regarding the water/sewer issue at 1963 Montrose Ave. Deputy Town Attorney Pope stated that she spoke with Attorney Bill Casey today and explained that the title for the paper street needs to be researched for ownership purposes. Once the title has been searched by the Tokos' attorney, the process will proceed. A public hearing is set for June 4, 2019 to consider public input regarding the expansion of the current water and sewer district to include 1963 Montrose Ave.

There being no further presentations to be brought before the Board, the floor was declared closed at 7:17 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

Highway Department – Spring Tree Branch and Brush Pick Up – May 6 thru May 29, 2019

Rabies Clinic – Wednesday, May 22, 2019 – 6:00 p.m. to 7:00 p.m. at the TOB Highway Garage

Memorial Day – TOB Municipal Buildings – Closed Monday, May 27, 2019 in Observance of Memorial Day

Memorial Day Parade – Monday, May 27, 2019 – 10:00 a.m.

TOB Municipal Clean Up Days – June 6 & 7, 2019

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be held on Tuesday, July 23, 2019 at 7:00 p.m. at the TOB Town Hall.

Zoning Board of Appeals – A case was brought before three members of the Zoning Board of Appeals. It was explained to the resident that he has the option to move the garage or go before the Zoning Board of Appeals again. The resident will notify the Zoning Board of Appeals before the next hearing with his decision.

Youth Commission – There was a meeting held last week. The season is under way for Spring sports. Make-up games are taking place.

Code Enforcement – There has been a poor response to Code violation letters that have been sent out.

Highway Department – Cabs & Chassis Bid – Update/Felters Road Water Tank Engineering Study/Peckham Rd. – FEMA – Hydraulic Study - Ferrario Auto Team is requesting a copy of the specifications again for the bids on the cabs and chassis. Town Attorney Pope will follow up with Ferrario Auto Team. A motion was made by Councilperson Bensley to accept Ferrario Auto Team's bid for two (2) 2018 or newer 1 ½ ton 4x4 cabs and chassis in the amount of \$98,450.00, to the Town of Binghamton Highway Department per the specifications that were given to them on April 26, 2019, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. The two Felters Road water tanks are leaking. An engineering study will be done in order to be able to file for grant money for repairs and/or replacement. The CDBG has funds available for the engineering study. The cost for the study will be approximately \$8,000 to \$20,000. Once the engineering study is complete, the Town can file for a grant. Some of the grant funding will cover a portion of the cost of the grant writing. The Peckham Road culvert pipe replacement is a FEMA project. FEMA may require a hydraulic study to see how much water flows into the culvert pipe. The Town will request quotes from the Town's engineering firms. FEMA will cover 75% of the cost. The State has not yet committed to paying 12 ½%. The Town will pick up the other 12 ½% of the cost.

Receipt of Reports – The Town Board is in receipt of the following reports:

Town Clerk's Monthly Report for April 2019

Town Clerk Conklin – Certificate of Training – NYS Town Clerks Association

Carol Herz – Certificate of Attendance – Board of Assessment Review Training

SUPERVISOR'S REPORT:

Finance School - Supervisor Rounds and Bookkeeper Reifler attended the NYS Association of Towns/NYS Comptroller's Office Finance School in Saratoga Springs May 9-10, 2019.

Broome County Association of Towns - Monthly Meeting – The next monthly meeting will be held on June 13, 2019, at The Spot Restaurant, 1062 Front Street, Binghamton, New York at 6:00 p.m. The guest speaker will be Stacey Duncan, Executive Director, The Agency.

UNFINISHED BUSINESS:

CDBG – Update & Appointment of Administrator – A motion was made by Councilperson Xlander to accept the bid from Thoma Development to act in the capacity of Administrator for the CDBG grant, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

PDD Changes – 239 Review – Amendment – The SEQR review needs to be completed, which will be done at the June 4, 2019 Work Session. A copy of the approved definition of a Planned Recreation District will be provided to the County. Mr. Mastin stated that the next Planning

Board meeting will be a joint meeting with the ZBA for training, and that tax grievances are a week from today.

Sexual Harassment Policy – Training – On-line training through NYMIR will be available mid-summer for all Board members, employees, and elected officials.

There was no further unfinished business.

NEW BUSINESS:

Board Meetings – July & August 2019 – A motion was made by Councilperson Nye to make an amendment to the 2019 Organizational Resolution for July and August Work Sessions and regular Town Board meetings as follows: A Work Session on the first Tuesday of July and August, 2019, and a regular Town Board Meeting on the third Tuesday of July and August, 2019, bringing the total to 12 meetings for 2019, and every year thereafter, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Leighton, Nye Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Personnel Committee – Appointment of Councilperson Bensley – A motion was made by Councilperson Nye to appoint Councilperson Mike Bensley to the Town of Binghamton Personnel Committee, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

Hon. Kristen Luce – Resignation – Town Justice Kristen Luce submitted her resignation to be effective as of May 23, 2019. Supervisor Rounds read Justice Luce's letter of resignation to the Board. The Office of Court Administration has temporarily assigned the Hon. Gregory P. Thomas as Town Justice for the Town of Binghamton effective Monday, June 3, 2019. A motion was made by Councilperson Xlander to accept the Hon. Kristen Luce's resignation effective May 23, 2019, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

Young Men's Christian Assoc. of Broome County – Approval to Use Coleman Road Ball Field – The Town received a request from the Binghamton YMCA requesting the use of the Veterans Field on Tuesday and Thursday evenings for the Men's Recreation Baseball League. The League will run for 12 weeks on Tuesdays and 10 weeks on Thursdays beginning May 21, 2019. The YMCA has agreed to reimburse the Town \$40.00 per week for the first 10 weeks and \$40 for the remaining two Thursdays for a total of \$440.00. They have also agreed to make sure the

area is cleaned up at the conclusion of each game. There will be no conflicts with the TOB Youth program as there will be no TOB Teener League this year. A Certificate of Insurance (liability) has been provided to the Town. A motion was made by Councilperson Bensley to approve the Binghamton YMCA Men's Recreation Baseball League use of the Town of Binghamton's Veterans Field on Tuesdays (12 weeks), and Thursdays (10 weeks), beginning May 21, 2019. The motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

DWI Tournament & Godbout Tournament – Approval to Use Jackson Park Ball Field – A motion was made by Councilperson Bensley to approve the use of Jackson Park Ball Field for the DWI Tournament on July 19, 20, and 21, 2019, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A motion was made by Councilperson Nye to approve the use of Jackson Park Ball Field for the Jordan Godbout Tournament on July 9 thru 14, 2019, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

There was no further new business.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public at 8:22 p.m.

Janet Strnatka – Ms. Strnatka stated that the TOB Neighborhood Watch Group will have their next meeting on Thursday, June 6, 2019 at 7:00 p.m. at the TOB Community Center. The program presenter will be David Adler from the NYS Division of Homeland Security and Emergency Services, and BC Office of Emergency Services. The Citizen Preparedness Program may present at the September meeting. The September presentation will include the National Guard, Fire Company, and all of the services that are involved with the NYS Department of Homeland Security.

There being no further presentations to be brought before the Board, the floor was declared closed at 8:25 p.m.

EXECUTIVE SESSION:

A motion was made by Councilperson Xlander to go into Executive Session at 8:25 p.m. to discuss a personnel matter, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

At 8:40 p.m., Councilperson Xlander made the motion to reconvene, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

Action taken after the Executive Session resulted in the following:

Councilperson Xlander made a motion to increase Court Clerk Martha Nuzzela's salary for the 2019 calendar year by \$1,430.00, with \$834.00 to be prorated for the balance of the 2019 pay

periods, to complete the project of correcting prior Court cases from other Judges that were misfiled, and the extra amount of work that it has taken her to complete this process, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Leighton, Nye

Absent: None

Nays: None

Declared adopted.

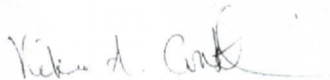
(Resolution Appended)

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 8:43 p.m., and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on Tuesday, June 4, 2019, 5:30 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,



Vickie A. Conklin
Town Clerk

RESOLUTION

At a regular meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 21st day of May, 2019 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Deputy Supervisor Victoria Xlander
Councilperson Dean Nye
Councilperson Michael Bensley
Councilperson Mark Leighton

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Cline, who moved its adoption, and was seconded by Councilperson Bensley.

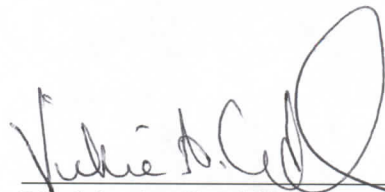
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval, certain Audited Claims and a request for authorization that said Audited Claims be paid by the Town of Binghamton.

NOW, THEREFORE, be it

RESOLVED, that upon review of the Audited Claims by those Board Members present, the said Audited Claims are hereby approved for payment by the Town of Binghamton; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a regular meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 21st day of May, 2019 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: NONE

The Resolution set forth below was duly offered by Councilperson Nye, who moved its adoption, and was seconded by Councilperson Bensley.

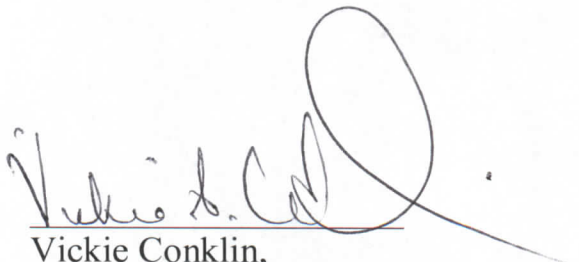
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Bensley, Leighton, Nye

NAYS: None

ABSENT: NONE

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board desires to amend the 2019 Organizational Resolution to add July and August work sessions and regular Town Board meetings to the calendar as follows: Work sessions on the first Tuesday of July and August, 2019 and regular Town Board meetings on the third Tuesday of July and August, 2019 bringing the total number of meetings to 12 meetings for 2019, and every year thereafter.

NOW, THEREFORE, be it

RESOLVED, that the Town Board will amend the 2019 Organizational Resolution to add July and August work sessions and regular Town Board meetings to the calendar as follows: Work sessions on the first Tuesday of July and August, 2019 and regular Town Board meetings on the third Tuesday of July and August, 2019 bringing the total number of meetings to 12 meetings for 2019, and every year thereafter; and

RESOLVED, that the Town Supervisor and Town Clerk are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a regular meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 21st day of May, 2019 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: NONE

The Resolution set forth below was duly offered by Councilperson Xlander, who moved its adoption, and was seconded by Councilperson Leighton.

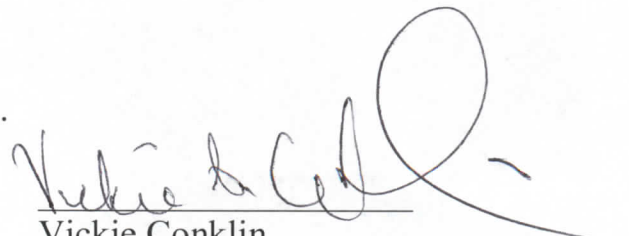
A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: NONE

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board was requested to consider an increase to Court Clerk Martha Nuzzela's salary for the 2019 calendar year in the amount of \$1,430.00, with \$834.00 to be prorated for the balance of the 2019 pay period, as compensation for the additional work expended to complete the project to review prior Judges' Court case filings and correct any misfilings.

NOW, THEREFORE, be it

RESOLVED, that the Town Board has approved the increase to Court Clerk Martha Nuzzela's salary for the 2019 calendar year in the amount of \$1,430.00, with \$834.00 to be prorated for the balance of the 2019 pay period, as compensation for the additional work expended to complete the project to review prior Judges' Court case filings and correct any misfilings;

RESOLVED, that the Town Supervisor is authorized to take such additional and further action as is necessary to implement this Resolution.